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COMMITTEE ON THE RIGHTS OF THE CHILD

Twentieth session

SUMMARY RECORD OF THE 515th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 19 January 1999, at 10 a.m.

Chairperson: Miss MASON

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Initial report of Guinea

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The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Initial report of Guinea [CRC/C/3/Add.48; HRI/CORE/1/Add.80; CRC/C/Q/GUI/1; written replies of the Government of Guinea to the questions raised in the list of issues (document without reference number distributed in the meeting room, in French only)]

1. At the invitation of the Chairperson, Ms. Daraba, Mr. Keita, Mr. Doré, Mr. Camara and Ms. Diaby (Guinea) took places at the Committee table.

2. The CHAIRPERSON welcomed the Guinean delegation and invited it to present the initial report of Guinea (CRC/C/3/Add.48).

3. Ms. DARABA (Guinea) pointed out that her country shared borders with six other West African countries, five of which were at war. Guinea had been the fourteenth country to ratify the Convention, as early as 10 April 1990, without formulating any reservation. In ratifying the Convention, the Guinean Government had been well aware of the commitment it was making in the eyes of the international community, all the more so since children accounted for 45 per cent of the country's population. The Guinean authorities had therefore pondered the measures to be taken to implement the Convention, with respect for both the country's culture and international legislation. A Secretariat of State had been established in February 1992, originally attached to the then Ministry for Children's and Social Affairs. That Secretariat had become the Ministry of Social Affairs, the Promotion of Women and Children in August 1996 and had promptly proceeded to evolve a national child promotion and protection policy centred around two major themes: inclusion of pre-school education as a fundamental component of basic education for all - with the adoption of several orders and decrees - and protection of children living in difficult circumstances. The civil war then raging in Liberia had brought half a million refugees to Guinea, 70 per cent of them women and children. The national child policy formulated in December 1996 had developed into the preparation of a plan of action and then a framework programme for child protection. The authorities, eager to reverse the trend established by the previous socialist regime, under which all initiatives had originated almost exclusively with the State, had ensured that NGOs, trade unions, political parties and the liberal professions were involved in the process. In addition to those structural measures, the Guinean Committee to Monitor the Protection of the Rights of Children had also been strengthened. It was a consultative organ in the Ministry of Social Affairs, the Promotion of Women and Children, with not only a national headquarters, but branches at the prefecture and sub-prefecture levels. The Guinean Monitoring Committee had been allocated resources - albeit too meagre - which gave it a degree of operational autonomy. A national population and human-resource commission involving a number of ministries had also been created and had helped build rehabilitation centres for children in conflict with the law. Another legislative measure that gave effect to the Convention was the creation of children's tribunals with specially trained personnel.

4. The Ministry of Social Affairs, the Promotion of Women and Children, which she herself directed, had, since June 1998, been assigned a substantial share of the State budget and enjoyed the privileged status of priority ministry with regard to budget allocations.

5. Alongside all those institutional and structural measures, the authorities had undertaken to disseminate the Convention on the ground through groups with a large following, such as the coordinating office of the country's women's associations which, since 1994, had organized a dozen seminars on the Convention in urban and rural areas alike. Teachers, the police, special police ("gendarmes") and drivers, who came into direct contact with the public, had also been trained in the principles of the Convention. Guinea had three official alphabets that would be used for transcribing the Convention into the eight national languages. However, the task had not been completed owing to difficulties in harmonizing the different language concepts.

6. Special protection measures for children had also been elaborated under the social action policy for street children, refugees, the disabled and children in conflict with the law, among others. In addition, a new Code of Individuals and the Family was currently before the National Assembly. A new text had been required because the preceding Code lent itself to divergent interpretations of children's rights, making it a source of potential violations of those rights.

7. Since the ratification of the Convention, the Guinean authorities had, in spite of all, been faced with a number of difficulties occasioned particularly by its inadequate material and financial resources, the dearth of qualified personnel - particularly social workers - and the fact that the functions of the National Directorate for the Promotion of Children had long been shared out among several ministries. It should be remembered that Guinea was one of the 10 poorest countries in the world. Its human development index was very low and 40 per cent of the population lived below the absolute poverty threshold. However, despite its poor economic situation, the authorities had in the past five years made great strides in the field of health and 90 per cent of children were now inoculated against diphtheria, tetanus and poliomyelitis. The school enrolment rate had also risen from 28 per cent to 51 per cent in 10 years. Lastly, despite the structural adjustment policies imposed on the country, food security was on its way to becoming a reality.

8. Lastly, by June 1999 the entire text of the Convention would most likely have been translated into the national languages and published in the form of a brochure. A school for blind young people was also due to begin operation during the current year, as well as three centres for handicapped children, including refugees from Sierra Leone. A programme of supervision of young children by elderly and retired persons, the spirit of which was totally in conformity with the country's culture, had also recently seen the light of day.

9. The CHAIRPERSON asked Ms. Daraba to make a brief oral presentation of the replies provided by Guinea to the questions raised in the list of issues, because they had not been translated into English owing to their late arrival.

10. Ms. DARABA, replying to question 1, said that, in order to give effect to the provisions of the Convention, the Government had already prepared a set of juridical and statutory measures, including a new Civil Code, a new Code of Penal Procedure, a Labour Code, a Social Security Code and, especially, a Code of Individuals and the Family. Whereas the former Civil Code contained 14 articles governing adoption, the new Code of Individuals and the Family contained 23, which governed national and international adoption follow-up mechanisms. An effort was being made to collect all those Codes together in a single text. Replying to question 2, she said that responsibility for coordination between the central and local bodies for the activities of the Committee to Monitor the Protection of the Rights of Children lay with the National Directorate for Pre-School Education and Protection of Children. There were decentralized regional structures directed by regional inspectors for social affairs and promotion of women and children and, at the prefecture and commune level, by prefectoral and commune directors. The sub-prefectures had children's committees responsible for coordinating activities for children. The Guinean Committee to Monitor the Protection of the Rights of the Child was regularly consulted in all decision-making concerning children and, consistent with an approach adopted in 1996, the State confined itself to legislative and statutory activities and a coordinating role, while the programmes were essentially implemented by NGOs. The Guinean monitoring committee had a three-member executive office and five working commissions. The Committee's funds came from donations from Committee members or public and private institutions, State subsidies and the Committee's own fund-raising activities, the profits of which went directly to children.

11. Replying to question 3, she said that children under 15 years of age had accounted for 44.8 per cent of the population in 1990 and should reach 47.4 per cent by 2001. Also, the proportion of under-fives in 1990 had been 18.8 per cent and should stabilize around that figure by the year 2001. The number of deaths of children under five had been 67 per cent in 1990 and should fall to 57 per cent by the year 2001.

12. Turning to health indicators, she said that the infant mortality rate and the mortality rate among the under-fives were respectively 136 per thousand and 223 per thousand. Immunization coverage was 86 per cent for BCG, 73 per cent for DT/Pertussis and 56 per cent for the antitetanus vaccine. Of children under the age of five, 16 per cent suffered from diarrhoeal diseases. With regard to health coverage, 80 per cent of the population received preventive care and 40 to 45 per cent curative care. Chronic malnutrition and acute malnutrition affected 29.1 per cent and 12.1 per cent respectively of children under the age of five and 70 per cent of children from 8 to 14 years were hosts to intestinal parasites.

13. Where basic education indicators were concerned, it should be pointed out that the gross enrolment rate had been 51 per cent in 1995 (65 per cent for boys, 36.9 per cent for girls, 22 per cent in rural areas and 58 per cent in urban areas).

14. Replying to question 4, she said that State-allocated resources from the national development budget for the implementation of the Convention were on the increase. Since those resources were distributed among different

ministries (health, agriculture, education, justice and communication), the Government was endeavouring to strengthen coordination among the various ministries.

15. In reply to question 5, she pointed out that trade union and political pluralism, as well as separation of powers, had become a reality in Guinea. Moreover, the number of child-related NGOs was increasing; the Government had conducted a study in 1998 to determine to what extent it could increase its aid to them so as to make their work on the ground more effective.

16. In reply to question 6, she said that since 1990 the Government, in cooperation with UNICEF, had been carrying out training, sensitization and education activities for those involved in the implementation of the Convention, including the police, children's magistrates, prison administration staff, teachers and parliamentarians. Mention should also be made of the establishment of the Association of Mayors for Defence of the Rights of the Child. The Government also had plans to incorporate the provisions of the Convention in the primary-school civic education syllabus and to call on the media to disseminate the Convention to the public at large. In that regard, attention should be drawn to the special role played by the women NGOs coordination office.

17. Turning to unconventional modes of communication (question 7), she said that the Government, with financial support from UNFPA, was currently putting in place a national traditional communicators' network (religious authorities, "griots", traditional social organizations, etc.) for the popularization and enforcement of the Convention. That network, which was to become operational in the coming months, would be responsible for disseminating both the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women.

18. Mrs. MOKHUANE inquired, first of all, what difficulties the Government had encountered in establishing detailed statistics and preparing indicators relating to children and, secondly, how the Convention was perceived by religious leaders, trainers, teachers, parents and all persons involved with children, since in most African societies children did not usually have a say.

19. Mr. KOLOSOV said he believed that approximately 80 per cent of Guineans were Muslims. He therefore wished to know whether the text of the Convention was available in Arabic, especially in remote regions. The Guinean delegation could perhaps also explain what obstacles, other than a shortage of financial resources, impeded implementation of the Convention and what measures the Government intended to take for more effective enforcement of national child legislation and for enhancing the action of the organs and ministries responsible for overseeing implementation of the Convention.

20. He also wished to know the concrete results achieved in the training of people involved with children since the report had been prepared one and a half years before, and the measures taken to overcome the difficulties encountered. It seemed to him that in Guinea June was the month of children rather than the month of children's rights. In that connection, he recalled that the General Assembly of the United Nations had recommended that States parties should proclaim 20 November each year as Children's Rights Day. He

also had the impression that the Guinean authorities had not fully realized that children were possessed of a number of rights set forth in the Convention, including the right to express their point of view. Lastly, he wished to know why the Guinean Government had not yet agreed to the amendment to the Convention to increase the membership of the Committee from 10 to 18.

21. Ms. MBOI congratulated the Guinean Government for presenting a rather comprehensive report and for having heeded the Committee's guidelines for the preparation of reports. However, since the report should have been presented in 1992, she wished to know whether the Government planned to take steps to submit its next report on time.

22. On the subject of indicators, she would like to know whether the Guinean Government possessed statistics on the exercise of the rights set forth in the Convention, whether it was making any attempt to break down the statistics in order to show the differences between town and country or the status of certain special categories of children and, lastly, whether there were any data on children between 15 and 18 years of age.

23. Concerning the dissemination of the Convention, the Guinean delegation had said that women's associations played an important role. However, she would say that while they made a very effective contribution to awareness within families, the range of their action did not extend to professional groups such as the police, the army or the magistracy. Furthermore, only women attended the meetings organized by those associations, whereas it was important for men to be involved in the defence of children's rights, particularly in order to prevent violence within the family. Lastly, she understood that NGOs played an increasingly important role in implementing the Convention. She therefore called for more details concerning collaboration between those NGOs and the Government, which was primarily responsible for such implementation.

24. Ms. PALME asked what measures the Government was taking to wage a more systematic battle against infant mortality, illiteracy and diseases such as malaria and to implement the rights of the child "to the maximum extent of its available resources". It was by assigning priority to education and health that the country would ensure its future development. Lastly, she asked what measures - including legislative measures - the Government intended to take to combat traditional practices injurious to the health of women and girls, including genital mutilation, and to involve men as well as women closely in that struggle.

25. Ms. OUEDRAOGO said she would like to know whether Guinea intended to ratify the African Charter on the Rights and Welfare of the Child and whether children were involved in the activities of the Guinean Committee to Monitor the Protection of the Rights of Children and the activities conducted in connection with the month of the child. She also asked whether the Children's Code would be prepared in the light of the principles enshrined in the Convention and would like details concerning the manner in which child-related NGOs coordinated their activities and cooperated with the Government, as well as information about their funding and their role in implementing children's programmes. In conclusion, the Guinean delegation would perhaps explain how

the Government was ensuring that the different traditional networks entrusted with dissemination of the Convention all spoke the same language and coordinated their activities.

26. Ms. SARDENBERG said that the high level of the Guinean delegation attested to the importance the Guinean Government attributed to the Convention. She also congratulated Guinea on its ratification of the six major international human rights instruments and for having frankly recognized in its report the difficulties encountered in enforcing the Convention.

27. She wondered about the coordination of the work of the Ministry of Social Affairs, the Promotion of Women and Children, the Ministry of Youth, Sport and Civic Education and the other ministries dealing with child-related issues. Given the proportion of illiterates and blind people in the country, she also asked whether there were plans to establish a simplified version and a Braille version of the text of the Convention. She would also like more detailed information on the role of the imams and "griots" ("masters of the word") in society as a whole and in the dissemination of the Convention in particular. Turning to planning, legislation and monitoring of implementation, she asked how national programmes of action were integrated and evaluated, whether there were plans to adopt texts concerning children that had been drafted but not yet published and what measures were envisaged for improving the workings of the Guinean Committee to Monitor the Protection of the Rights of Children. She would also like details concerning the mandate of the Committee on Equity between Girls and Boys and its links with the other governmental organs. In conclusion, she asked what specific measures the Government intended to adopt to disseminate the initial report in the country: would a press conference be organized? Would the report be discussed in parliament?

28. Ms. MBOI, noting that the previous National Programme of Action covered women as well as children, asked whether there were plans to adopt one relating specifically to children and their own rights and, if so, whether it would target all children, including the children of refugees, and all the rights set forth in the Convention.

29. Ms. MOKHUANE, referring to the new National Programme of Action, asked what its objectives were and whether it provided for a mechanism for periodic presentation of reports on implementation of the Convention. Also, aware that five of the countries neighbouring on the Republic of Guinea were involved in armed conflicts, she would like to know what share of the Guinean budget was earmarked for defence. She also asked whether children could appeal to an independent body in the event of violation of their rights. Lastly, concerned at the population's poverty, she asked what proportion of income was retained by the State, whether the poor were as heavily taxed as the rich, what was the extent of social security coverage and who benefited from it.

30. Mr. RABAH would like to have more details about the decrees listed in paragraph 9 of the initial report and how they were enforced. He also wondered about the participation of NGOs and United Nations specialized agencies not only in establishing the report, but in other governmental activities.

31. Ms. QUEDRAOGO, referring to paragraph 14 of the initial report, asked about the status of the projects envisaged when the report had been drafted. She understood that the Children's Parliament and the Association of Mayors for Defence of the Rights of the Child were now operational and wished to know how they functioned.

32. Mr. KOLOSOV pointed out that article 4 of the Convention imposed on States parties the obligation to undertake measures for the implementation of the rights of the child "to the maximum extent of (...) available resources". Had that topic been the subject of a parliamentary or governmental debate and had its significance been really grasped? What resources were available through international cooperation and were they really spent on the most needy population groups?

The meeting was suspended at 11.50 a.m. and resumed at noon.

33. Ms. DARABA (Guinea), referring to the view that the Arabic translation of the Convention should not pose problems because 80 per cent of the population was Muslim, pointed out that practice of the Muslim religion did not necessarily signify mastery of Arabic. What was more, the alphabet used by the Arabic-speaking segment of the population was not the same as that used in literary Arabic. In addition, while dissemination of the Convention did rely on public channels - central and decentralized State representation - it was also conducted through traditional channels. Accordingly, the "griots" were an asset for the country and compensated for the lack of State representation at the lower sub-prefecture levels. The message was transmitted by "griots", through children's rites of passage that existed in Guinean society, which had a rising birth rate, and through the NGOs, especially feminist NGOs. The major data-collection problems encountered were, first of all, the donors' excessively sectoral approach and, secondly, inadequate personnel training. In that regard, Guinea had called on South-South cooperation, especially on Egypt's Social Development Fund, for establishing a database.

34. Mr. DORÉ (Guinea) said that one of the aims of training executives was to ensure th[illegible]e executives in the Ministry of Social Affairs, the Promotion of Women and [illegible]dren used the same working methods as their counterparts in the other ministries; to that end, the Guinean Committee to Monitor the Protection of the Rights of Children was responsible for drawing up training plans for executives in all ministries. What was needed now was to work towards limiting the loss of information between middle management who gleaned information on the ground and the senior management in Conakry.

35. Acknowledging that the late presentation of the initial report was regrettable, he said that mechanisms - described in the written replies - had been set up to expedite the procedures for preparing periodic reports in the future.

36. The two main priorities of the National Plan of Action for the Guinean Child were to reduce the gap between town and country with regard to access to education, notably through the development of pre-school education and, secondly, assistance for children in difficulties, such as working children and street children. Lastly, he was pleased to inform the Committee that

Guinea had ratified the African Charter on the Rights and Welfare of the Child at the Conference of Presidents of Member States of the Community of West African States, held in Addis Ababa in June 1996, and that the Charter was now part of Guinea's juridical arsenal.

37. In response to the questions concerning the Guinean Committee to Monitor the Protection of the Rights of Children, he pointed out that the Committee was now perfectly in place and operational. It was composed of representatives of, among others, the main NGOs and counterpart ministries and child representatives. The Committee also had commissions specializing in the various child-related sectors, such as leisure and sport, which cooperated with youth organizations to put on activities and performances illustrating what human rights really meant, especially in the countryside. In addition, the month of the child was certainly not just an occasion for festivities to celebrate childhood: it was also used for activities to increase awareness of, and respect for, the rights of the child and to encourage the population to campaign with the authorities to defend the cause of children. Hence, during the entire month, the private and public press, youth organizations, artists and all those concerned joined forces to attract the national community's attention to the importance of those rights. In addition, on 20 November, the date of the adoption of the Convention, specific activities were organized at the highest level to assess the previous year's achievements in order to improve the implementation of the provisions of the Convention.

38. Concerning relations between the Ministry of Youth and the department responsible for children in the Ministry of Social Affairs, he said that all activities conducted by both bodies were fully coordinated; they included initiatives taken at the instigation of organizations proposing sporting activities in schools, as well as coordination with the counterpart Ministry of Education and Ministry of Culture.

39. The initial foundations on which the Association of Mayors for the Defence for the Rights of the Child would be built had been laid in 1997 and the Association had officially come into being in May 1998. It was an association of mayors who undertook to guarantee children's rights in their local communities. Thus, in order to encourage girls to attend school, which was one of the Guinean Government's priorities, the mayors belonging to the Association undertook to take steps to ensure that girls who had completed the six years of compulsory primary education in their native villages and had been accepted by an urban college were looked after by a foster family on their arrival and a tutor designated to help them with their studies. In addition, the mayors of the Association were obliged to help apprenticed children and enforce their rights with the master craftsmen so that they could gain the diploma that would grant them access to employment once their apprenticeship was at an end. Lastly, the creation of the Children's Parliament had been highly problematic, since it had not been easy to make the community as a whole, and parents in particular, accept that children, even those not attending school and not part of society's elite, could have the right to be elected as members of Parliament to represent their sub-prefectures on an equal footing with adult parliamentarians. For that reason, a protracted sensitization campaign had had to be carried out before the Children's Parliament could be created. However, 114 children now sat in Parliament (one child for each seat in the National Assembly) and those young

parliamentarians, who were generally 14 or 15 years of age, had become spokespersons for their peers and defended their interests in all fields concerning them, making it an excellent school for introduction to democracy.

40. Ms. DIABY (Guinea) added that the month of the child had been celebrated each year in Guinea since 1990, when Guinea had deposited the instrument of ratification of the Convention with the Secretary-General of the United Nations. Throughout the month, special days covering a variety of themes were celebrated in favour of children: for example, 1 June was devoted to celebrating the International Day of the Child; 5 June to the celebration of World Environment Day; 15 June celebrated the Day of the African Child, and 26 June International Day of Peace. Those celebrations were held throughout the national territory, with active support from UNICEF.

41. Guinea had not expressed its opinion on the proposed amendment to the Convention with a view to increasing the number of members of the Committee on the Rights of the Child from 10 to 18, not from any lack of will on the Government's part, but simply because it had not received the relevant documents. Nevertheless, the Guinean Government would certainly undertake a study and communicate its response in the second periodic report it would be submitting to the Committee.

42. She pointed out that the Guinean Committee to Monitor the Protection of Rights of Children had been created by Decree 010 of 16 January 1995 and was an official monitoring mechanism for implementation of the Convention in the country. Following the Committee's creation, two orders had been issued concerning its membership, the one establishing 18 as the number of members and the other increasing it to 20, in view of the scope of the activities now being implemented in the field. All the major ministries were represented on the Committee, including the Ministry of Cooperation and the Ministry of Foreign Affairs, which was the repository of the international juridical instruments the country had ratified. Furthermore, the Committee could seek the collaboration of representatives of international institutions, who could help to carry out its activities. Lastly, the NGOs had played a considerable part in the preparation of Guinea's initial report and continued to contribute, notably to the re-assessment of syllabuses and the development of an entire array of activities for children.

43. Mr. CAMARA (Guinea) said that the Guinean Government was doing its utmost to provide social coverage for all children, whatever their social origins, although the country's scant resources made it difficult to guarantee social coverage and health care for everyone, including the worst-off financially. However, as a first step, the Government had undertaken to apply an extended inoculation programme for all children and, thanks to help from its development partners, a network of nearly 350 primary health centres dispensing free essential care had been established throughout the country. Following that, the Government had created a sub-programme for distribution of basic medicine, especially in rural areas, a policy that formed part of the overall measures to decentralize health care, which had been undertaken since 1984.

44. The social coverage system per se generally concerned wage-earners, namely people in remunerated employment, either with the Government or with

private enterprise. Under that system, the wage-earners received family allowances for themselves and their family members and any medical expenses were reimbursed. Government employees' benefits were paid with their salaries and, for salaried employees in firms, payment of allowances was governed by the Labour Code and medical expenses were covered by the National Social Security Fund. Hence, in the past 10 years the expenditure devoted to primary health care had increased considerably, owing particularly to trade-union action which had encouraged wage-earners to capitalize on legislative provisions in their favour.

45. Mr. DARABA (Guinea), in response to questions asked about measures taken to combat traditional practices injurious to the health of women and children, said that genital mutilation in particular was prohibited by the Guinean Penal Code. However, genital excision as a surgical procedure formed part of the various rites involved in the teaching and initiation of girls, in the same way as the teaching of good habits of daily hygiene, physical care and food, for instance. True, the struggle against that practice, which, in fact had no basis in religion, was nevertheless justified, which was why a multidisciplinary team comprising anthropologists, sociologists, doctors and pharmacists, among others, had been set up to look into the possibility of instituting traditional initiation rites that did not include genital mutilation and for which preference would be accorded to maintaining positive practices that formed part of the Guinean population's cultural heritage.

46. The CHAIRPERSON thanked the Guinean delegation for its initial replies to the questions raised by Committee members on the first part of the list of issues.

The meeting rose at 1.05 p.m.